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NOTICE OF ALLOWANCE AND FEE(S) DUE

22903

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08/25/2004

COOLEY GODWARD LLP ATTN: PATENT GROUP 11951 FREEDOM DRIVE, SUITE 1700 ONE FREEDOM SQUARE- RESTON TOWN CENTER RESTON, VA 20190-5061 EXAMINER

BELLAMY, TAMIKO D

ART UNIT

PAPER NUMBER

2856

DATE MAILED: 08/25/2004

[APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
	10/040,191	10/26/2001	James R. Mault	MJA-22802/03	9028

TITLE OF INVENTION: BODY SUPPORTED ACTIVITY AND CONDITION MONITOR

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1330	\$300	\$1630	11/26/2004

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATEN PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHT THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPO PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM TH MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THE STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOV REFLECTS A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE APPLIED IN THIS APPLICATION. THE PTOL-85B (O AN EQUIVALENT) MUST BE RETURNED WITHIN THIS PERIOD EVEN IF NO FEE IS DUE OR THE APPLICATION WIL BE REGARDED AS ABANDONED.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is n claiming SMALL ENTITY status, check box 5a on Part B - Fee Transmittal and pay the PUBLICATION FEE (if required) and 1 the ISSUE FEE shown above.

- II. PART B FEE(S) TRANSMITTAL should be completed and returned to the United States Patent and Trademark Office (USPTO) w your ISSUE FEE and PUBLICATION FEE (if required). Even if the fee(s) have already been paid, Part B Fee(s) Transmittal should completed and returned. If you are charging the fee(s) to your deposit account, section "4b" of Part B Fee(s) Transmittal should completed and an extra copy of the form should be submitted.
- III. All communications regarding this application must give the application number. Please direct all communications prior to issuance Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: Mail

Mail Stop ISSUE FEE Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

(703) 746-4000 or Fax

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed when appropriate All further correspondence including the Patent advance orders and posification of maintenance fees will be miled to the appropriate All further correspondence including the Patent advance orders and posification of maintenance fees will be miled to the appropriate advance orders and posification of maintenance fees will be miled to the appropriate.

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2903 3900 08257000 COOLEY GODWARD LLP ATTN: PATENT GROUP 11915 IREGEOM DRIVE, SUITE 1700 ONE FREEDOM SQUAKE: RESTON TOWN CENTER. RESTON, VA 20190-5061 APPLICATION NO. PILLING DATE PRIST AMBED INVENTOR ATTORNEY DOCKET NO. CONFIRMATION NO. 10040,191 1072672001 James R. Mealt MJA-22802/03 9028 TITLE OF INVENTION: BODY SUPPORTED ACTIVITY AND CONDITION MONITOR APPLICATION NO. PILLING DATE PRIST NAMED INVENTOR ATTORNEY DOCKET NO. CONFIRMATION NO. 10040,191 1072672001 James R. Mealt MJA-22802/03 9028 TITLE OF INVENTION: BODY SUPPORTED ACTIVITY AND CONDITION MONITOR APPLICATION FOR THE SMALL ENTITY ISSUE FREE PUBLICATION FREE TOTAL FEE(5) DUE DATE DUE nonprovisional NO \$1330 EXAMINER ART UNIT CLASS-SUBCLASS BELLAMY, TAMIKO D 2856 073-489000 1. Change of correspondence address or indication of "Fee Address" of 27 2. For printing on the patent front page, list CTR 1,301. 1 10 to mass of up to a period page abent attorneys or agent) and the manus of up to a regular patent attorneys or agent) and the manus of up to a regular patent attorneys or agent) and the manus of up to a regular patent attorneys or agent) and the manus of up to a regular patent attorneys or agent) and the manus of up to a regular patent attorneys or agent) and the manus of up to a regular patent attorneys or agent) and the manus of up to a regular patent attorneys or agent) and the manus of up to a regular patent patent patent, and the manus of up to a regular patent attorneys or agent) and the manus of up to a regular patent attorneys or agent) and the manus of up to a regular patent patent patent, and a substitute for filing an assignment is identified below, the document has been filed recordation as act forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment is identified below, the document has been filed recordation as act forth in 37 CFR 3.11. Completion of the form is NOT a substitute for filing an assignment is identified below, the document has been filed recordation as act forth in 37 CFR 3.11.						Fee(s) Transmittal. This certificate cannot be used for any other accompany papers. Each additional paper, such as an assignment or formal drawing, m			
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Please check the appropriate assignee category or categories (will not be printed on the patent): Individual Corporation or other private group entity Governm 4a. The following fee(s) are enclosed: 4b. Payment of Fee(s): A check in the amount of the fee(s) is enclosed. Payment by credit card. Form PTO-2038 is attached. Payment by credit card. Form PTO-2038 is attached. Advance Order - # of Copies Payment by credit card. Form PTO-2038 is attached. (enclose an extra copy of this form). 5. Change in Entity Status (from status indicated above) a Applicant claims SMALL ENTITY status. See 37 CFR 1.27. b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2). The Director of the USPTO is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above. NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other part interest as shown by the records of the United States Patent and Trademark Office. Authorized Signature Date Typed or printed name Registration No. This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to proc an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, submitting the completed application from to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to compute in form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Patent and Trademark Office, U.S. Department of Commerce, Patent and Trademark Office, U.S. Patent and Trademark Office, U.S. Department of Commerce, Patent and Trademark Office, U.S. D									
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□ Issue Fee □ A check in the amount of the fee(s) is enclosed. □ Publication Fee (No small entity discount permitted) □ Advance Order - # of Copies □ The Director is hereby authorized by charge the required fee(s), or credit any overpayment Deposit Account Number ○ (enclose an extra copy of this form). 5. Change in Entity Status (from status indicated above) □ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. □ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2). The Director of the USPTO is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above. NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other part interest as shown by the records of the United States Patent and Trademark Office. Authorized Signature □ Date □ Registration No. □ Pate □ Date □ Dat						Individual 🖵 C	corporation or other private gr	oup entity Governm	
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APPLICATION N	О.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/040,191 10/26/2001		10/26/2001	James R. Mault	MJA-22802/03 9028	
22903 7590 08/25/2004				EXAMINER	
COOLEY G	-		BELLAMY, TAMIKO D		
ATTN: PATENT GROUP 11951 FREEDOM DRIVE, SUITE 1700				ART UNIT	PAPER NUMBER
ONE FREEDOM SQUARE- RESTON TOWN CENTER				2856	
RESTON, VA 20190-5061			DATE MAILED: 08/25/200	4	

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)

(application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 0 day(s). If the issue fee is paid on the date that is three months after t mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a h months) after the mailing date of this notice, the Patent Term Adjustment will be 0 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date th determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retriev (PAIR) WEB site (http://pair.uspto.gov).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office Patent Legal Administration at (703) 305-1383. Questions relating to issue and publication fee payments should directed to the Customer Service Center of the Office of Patent Publication at (703) 305-8283.



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10/040,191	10/26/2001	James R. Mault	MJA-22802/03	9028	
22903	7590 08/25/2004	EXAM	EXAMINER		
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ATTN: PATEN 11951 FREEDO	M DRIVE, SUITE 1700	ART UNIT	PAPER NUMBER		
	NE FREEDOM SQUARE- RESTON TOWN CENTER				
KESTON, VA	TON, VA 20190-5061		DATE MAILED: 08/25/2004		

Notice of Fee Increase on October 1, 2004

If a reply to a "Notice of Allowance and Fee(s) Due" is filed in the Office on or after October 1, 2004, then t amount due will be higher than that set forth in the "Notice of Allowance and Fee(s) Due" because an increase in fe effective on October 1, 2004 is anticipated. See Revision of Patent Fees for Fiscal Year 2005; Proposed Rule, 69 Fe Reg. 25861, 25863, 25864 (May 10, 2004).

The current fee schedule is accessible from WEB site (http://www.uspto.gov/main/howtofees.htm).

If the fee paid is the amount shown on the "Notice of Allowance and Fee(s) Due" but not the correct amount in vie of the fee increase, a "Notice of Pay Balance of Issue Fee" will be mailed to applicant. In order to avoid processi delays associated with mailing of a "Notice of Pay Balance of Issue Fee," if the response to the Notice of Allowan is to be filed on or after October 1, 2004 (or mailed with a certificate of mailing on or after October 1, 2004), t issue fee paid should be the fee that is required at the time the fee is paid. See Manual of Patent Examining Procedu (MPEP), Section 1306 (Eighth Edition, Rev. 2, May 2004). If the issue fee was previously paid, and the response the "Notice of Allowance and Fee(s) Due" includes a request to apply a previously-paid issue fee to the issue f now due, then the difference between the issue fee amount at the time the response is filed and the previously-pa issue fee should be paid. See MPEP Section 1308.01.

Effective October 1, 2004, 37 CFR 1.18 is proposed to be amended by revising paragraphs (a) through (c) to read set forth below. As stated above, the final fee may be a different amount, and applicant should check the WEB s given above when paying the fee.

Section 1.18 Patent post allowance (including issue) fees.

(a) Issue fee for issuing each original or reissue patent,
except a design or plant patent:

By a small entity (Sec. 1.27(a))	\$670.00
By other than a small entity	\$1,340.00
(b) Issue fee for issuing a design patent:	
By a small entity (Sec. 1.27(a))	\$245.00
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(c) Issue fee for issuing a plant patent:	
By a small entity (Sec. 1.27(a))	\$325.00
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